

Lewis County Planning Commission *Workshop*

Lewis County Courthouse
Commissioners' Hearing Room - 2nd Floor
351 NW North St - Chehalis, WA

January 26, 2016 - Meeting Notes

Planning Commissioners Present: Russ Prior, District 3; Jeff Millman, District 2; Sue Rosbach, District 2; Mike Mahoney, District 1; Bob Whannell,, District 3; Leslie Myers, District 1

Staff Present: Lee Napier, Director of Community Development; Glenn Carter, Civil Prosecuting Attorney; Eric Eisenberg, Civil Deputy Prosecuting Attorney; Bill Tietzel, Supervisor Environmental Services; Fred Evander, Long Range Senior Planner; Brianna Teitzel, Planning; Pat Anderson

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting Notes from January 12, 2016
- Staff Report: Housing Element
- Draft Housing Element Code Changes
- Draft Animal Kennel Code Changes

1. Call to Order

Chairman Mahoney called the meeting to order at 6:05 p.m. The Commissioners introduced themselves. Chair Mahoney asked Commissioner Whannell to tell a little about himself. Commissioner Whannell stated he was a dairy farmer in Lewis County before moving to Oregon in 1987 where he had cranberry bogs. He returned to Lewis County recently. He was active in the Farm Bureau and was past president of the Centralia College Foundation Board.

2. Approval of Agenda

There were no changes to the agenda; it was approved as presented.

3. Approval of Meeting Notes from January 12, 2016

Chairman Mahoney stated the nomination for Vice Chair was seconded by Commissioner Myers, not Commissioner Millman. The meeting notes were approved with that correction.

4. Old Business

- A. Second Workshop on LCC 17.42.030 – Proposed Changes to Animal Kennels, Shelters, Boarding and Animal Hospital Standards

Mr. Eisenberg summarized the proposed changes to LCC 17.42.030. Nothing has changed since the last discussion. He stated that the Public Health employees and members of the community are working on an ordinance that would create a kennel operating permit program in which one will need to get an operating permit in order to have a kennel that has 10 or more in-tact adult dogs. There will be

meetings and discussions that will not involve the Planning Commission but will ultimately go before the Board of County Commissioners.

Mr. Eisenberg stated when that project got started it was noticed that the zoning code inconsistently treated animal kennels in rural development districts. In LAMIRDS there was one term – kennels - and in the RDD table it used animal/boarding/shelters/hospitals and permitted those activities in slightly different ways. Mr. Eisenberg did not think anyone intended there to be a difference in the wording, but legally speaking, if two different terms are used it is presumed to intend that they are different. Staff proposes a technical amendment that makes those tables uniform in using the same terminology. This is shown in the draft on the second page at the bottom. It would now read “animal kennels, shelters, boarding and hospitals” and that phrase appears again in the RDD table on page 5.

Those uses were permitted in all RDD zones and they were permitted by special use permit in some, but not, all LAMIRDS. In addition to making the wording uniform, staff is also proposing to make it slightly more accessible to have one of these facilities in some LAMIRDS and keeping it the same for regular zones.

The changes are small, making the tables consistent and going from a special use permit to either an administrative review or permitted outright in locations where a special use permit was once required. It is not a change that can change anyone’s substantive rights; it can only give them more opportunity than before.

Mr. Eisenberg stated in answer to a previous question, he learned at the meetings that some people had kennels that we did not know about because there was never a complaint about them, or they ran hobby kennels. It is likely that there are kennels that we don’t know about but as a matter of law none of those peoples could not be zoned out because all of the changes liberalize the zoning.

Chair Mahoney stated it is possible to have a veterinary hospital without including kennels and asked if Small Town Residential precludes any commercial activity. Mr. Eisenberg stated yes. Chair Mahoney asked if commercial businesses require a county license. Mr. Eisenberg stated the county does not require a business **license**. The county requires licenses in a limited class of industries (such as Music Festivals) and operating permits would be one of those limited class.

Commissioner Prior stated grooming facilities are not mentioned. He asked if that was intentional. Mr. Eisenberg stated in the draft health ordinance there is a discussion about when a groomer counts as a kennel. It could be included, but since these terms are not defined in the same way that they would be in the draft health ordinance, someone could consider a grooming facility as a boarding facility that grooms and does not keep dogs overnight; or perhaps they do keep them overnight. There is room to consider boarding to include grooming. In general the policy of the planning side was to try to get out of the way of the health side, so they did not intend to disallow anything by this change.

Commissioner Prior stated he thought the rural districts were RDD-5, RDD-10 and RDD-20, not R-1, R-2, etc. Mr. Evander stated the code is not consistent, using both. Commissioner Prior stated the zoning should be consistent throughout the code.

Ms. Napier stated staff can look at changing the heading on the table, providing it does not create a variety of changes. Otherwise it will be kept on the code scrub change for the future.

Mr. Teitzel stated the Commissioners asked the Health Department to look into Title 6 to see what can be done about kennel licenses. Staff will take a common sense approach to this and there are quite a few things from the public health standpoint: diseases, animal welfare (requiring a yearly inspection for facilities). Staff has been working with a lot of stakeholders and realizes that not all kennel holders are the people we are concerned about, but we must treat everyone fairly and there has been positive feedback.

B. Set a Public Hearing for February 23, 2016 on Animal Kennels

Regarding the request for the heading titles, Ms. Napier stated in the rural development the zoning districts are referred to as Rural Development District (RDD) 1 through 5, 1-10, 1-20; so the only discrepancy in the table is that it is missing the "DD." It would be a much broader code change than just changing the heading on the table. It can be clarified in future development regulations but it would be more complicated than we want to pursue at this time. It is consistent with code.

Chair Mahoney entertained a motion to set the public hearing for February 23. Commissioner Rosbach made the motion; Commissioner Myers seconded. The motion carried.

5. New Business

A. Workshop on the Housing Element of the Comprehensive Plan

Mr. Evander stated the Growth Management Act requires a Comprehensive Plan update every seven or eight years. Lewis County will be updating its Land Use, Transportation, Capital Facilities, Housing and Utilities Elements.

The Housing Element includes four items to consider: housing inventory (existing housing stock), an analysis of the number of housing units that will be required over the next 20 years. The Planned Growth Committee will be looking at the analysis. Also required is goals, policies and objectives for the development of housing. The current policies have been inserted and rearranged to make more sense. The Comp Plan must also identify sufficient land for housing, which is what the Appendix will do. Provisions for existing and projecting housing needs for all economic segments in the community must also be included. Those four requirements are out of the WAC. Beyond that, nothing needs to be done, unless the Planning Commission wishes to direct Mr. Evander to do more.

Mr. Evander summarized the draft housing element, pointing out the graphs on the various statistics. The map that is included intends to emphasize distribution of housing throughout the county. He noted there are apartment buildings in Chehalis and Centralia but none in the outlying areas such as Winlock or Pe Ell. Based on this information, a potential goal would be to get different types of housing units throughout the county.

Chair Mahoney stated that many times the comment has been made that people don't want to see a change to the rural communities and he believes that multi-family housing does not lend itself to the rural climate. Outside of the LAMIRDS there might be resistance to anything other than single family dwellings. Mr. Evander stated he might have implied he was thinking of outside the LAMIRDS but he is not. Chairman Mahoney stated then the problem is that several LAMIRDS where a denser population might be desirable and the LAMIRD would need to be expanded, which we are told we cannot do. This will need to be addressed. Mr. Evander stated part of the reason for the inventory is to identify an issue. Are LAMIRDS running out of room? Mr. Evander does not know. Onalaska, for example, has the

potential to be not just a LAMIRD but an urban growth area. If it is an urban growth area then the issues with a LAMIRD go away. The same could also work for Packwood, which would address the issue with the sewer. Commissioner Prior asked what is needed to designate a new UGA. Mr. Evander stated the work needs to show with Capital Facilities, that there is water and sewer capacity. If you cannot show sewer capacity then you need to show your work that you are working towards it. Commissioner Prior stated the Pierce County health department has shut down development in Elbe because they will not permit any more septic systems. Elbe is declining and he would not like to see that happen in Packwood.

Mr. Evander briefly went through the Goals and Policies. Commissioner Prior stated he would like to add tiny houses to the list on page 10. He believes that Lewis County could be at the forefront of welcoming people who want to have tiny houses. Tiny houses fit into several of the goals, such as affordability. Commissioner Rosbach thinks Lewis County should make its processes easier. She would like to hear the county say: "Yes, how can we help you" instead of "No."

Mr. Evander asked if there was discussion about the items that have no mention in the goals and policies. Should they be included and considered, or are there other things that should be included?

Chair Mahoney stated that developments like Stillwaters Estates in Centralia would not be feasible in Packwood without the sewer system and impacts of affordable housing to the communities must be considered. If there is truly affordable rental housing then it needs to be within walking distance of major shopping, etc. Trying to develop housing without employment is going to be difficult.

Commissioner Prior stated Goal 3 is to enhance the existing housing stock. He asked if that is enhancing the quantity or quality. Commissioner Mahoney suggested using the word "increase." Commissioner Prior stated Goal 1, Policy 5.4 "be flexible in permitting farm housing." He asked if that means to be flexible in the size of the house, or ease in permitting. Chair Mahoney thought clustering might help here since most farms are in RDD-20. Commissioner Prior asked if there is a need for specifying farm housing. Commissioner Rosbach thought it should stay in the Goals and Policies.

Ms. Napier asked the Commissioners if Mr. Hueffed could offer some insight. Mr. Hueffed stated he was thrilled to see that policy included. When he asked for a pre-submission conference one thing he brought up was seasonal housing for his farm. He was told there was nothing allowable outside of basic residences. He stated that 90% of the applicants live from Chehalis to Olympia and the commute is difficult. Being able to provide housing both as a percentage of their compensation, or for the right person, is a great convenience. As a farm with part of its operation 24/7 having staff on sight would be huge. Mr. Hueffed has been trying to figure out how to make a small farm sustainable as operations grow in a county where a lot of farmland is sitting idle. Housing is huge for him. Seasonable housing would be great for a 4-5 day workshop.

Chairman Mahoney stated he would encourage Mr. Evander to include some of these things in the Comprehensive Plan, which is a kind of wish list. It may not be practical today but it is important to say what we need for our county. Mr. Evander stated we don't want just a wish list. We should want these things grounded in reality and identify strengths we have and utilize those strengths to put us in a favorable position. Chair Mahoney would like to look at encouraging a large employer in the Highway 12 area and increasing population with a UGA.

Mr. Evander asked if homelessness and senior housing should be included. In answer to a question, he stated that fair housing type is certain groups of people who are protected under the fair housing act. Those include race, disability and more. Chair Mahoney asked if these are group homes. Mr. Evander stated, as an example, if six disabled people and a caregiver live in a single family home, the county would have to allow that. Discussion followed about allowing several adults in a home and the requirement for septic systems. Mr. Evander stated he would discuss this more with Mr. Carter. Mr. Teitzel stated a house is permitted based on the number of bedrooms and sizing for wastewater is usually two people per bedroom.

Commissioner Prior referred to policy 5.6 on page 8, temporary dwelling units. The policy states a temporary dwelling must be removed when no longer used but he would like to encourage family compounds. Mr. Evander stated the GMA talks about not promoting sprawl and Lewis County focused on one unit per five acres. We could talk about rural characteristics rather than density and family compounds are inherently rural. Chair Mahoney stated in RDD-20 only one home is allowed. Commissioner Prior thought Lewis County should be more flexible about that.

Commissioner Millman asked about a medical hardship – if the home is no longer habitable it has to be removed. Mr. Teitzel stated there are conditions for medical reasons and it requires a contract between the county and the family that if it is taken out of medical hardship it must go back to its prior use or be removed. Commissioner Millman asked if Commissioner Prior would like to see that stay as a home. Commissioner Prior stated his family's property is 125 acres and one parcel is zoned RDD-10, and there are also 5 legal lots of record. He understands that he could build a higher density than the RDD-20. His family would like this property to be held in perpetuity and the way to encourage that is to have places for people to come and stay or live together. He thinks that should be encouraged for everyone with extended families. To remove a dwelling costs money and there should not be a housing policy that burdens a family in that way.

Chairman Mahoney stated, regarding the other suggestions on page 10, that they should not be taken out but he did not think there should be a policy on each one.

6. Calendar

The next meeting is scheduled for February 9, 2016: Workshop on Open Space Applications; Update on Shoreline Master Program; continued review of proposed Administrative Code Changes.

Commissioner Prior asked about the correspondence from Olympia Master Builders (OMB). Mr. Evander stated the Housing Element went out and comments have been received. OMB would like the Planning Commission to consider the comments.

7. Good of the Order

Chairman Mahoney thanked the people who attended the meeting. He stated there will be a public hearing on February 23 and asked any Commissioner who could not make it to let Ms. Anderson know.

8. Adjourn

The meeting adjourned at 7:55 p.m.